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WOOD, HERRON & EVANS, L.L.P.

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DONALD F. FREI
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J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
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THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
DAVID J. JOSEPHIC
THOMAS W. FLYNN
J. DWIGHT POFFENBERGER, JR.
BRADLEY D. BECK

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234

WEBSITE: www.whopatent.com
PATENT, TRADEMARK, COPYRIGHT
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AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY

KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

October 17, 2005

FACSIMILE COVER SHEET

To: Commissioner For Patents
Attn: Examiner Essama Omgba
U.S. Patent Office

From: Wayne L. Jacobs

Re: Our File: L&P-1392
Your File: Serial No. 10/663,268 filed
09/16/03

Fax: 1-571-273-8300

Pages: 19 (including cover sheet)

MESSAGE/COMMENTS

Attached for immediate filing are Response Under 37 C.F.R. §1.116 (15 pages),
Transmittal Form, Fee Transmittal For FY 2005, and Petition For Extension Of Time (1 Month).
Please confirm receipt of these documents via return facsimile. Thank you.

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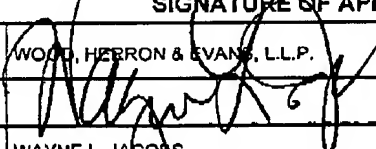
PTO/SB/21 (09-04)

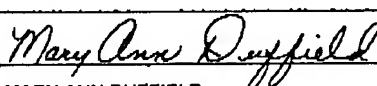
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TRANSMITTAL FORM	Application Number	10/663,268	
	Filing Date	September 18, 2003	
	First Named Inventor	Scott Giet	
	Art Unit	3728	
	Examiner Name	Essama Omgba	
(to be used for all correspondence after initial filing)		Attorney Docket Number	L&P-1392
Total Number of Pages in This Submission	19		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Attached for immediate filing are Response Under 37 C.F.R. Sec. 1.116 (15 pages). Fee Transmittal For FY 2005, and Petition For Extension Of Time (1 month).		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	WOOD, HERRON & EVANS, L.L.P.	
Signature		
Printed name	WAYNE L. JACOBS	
Date	OCTOBER 17, 2005	Reg. No. 35,553

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	MARY ANN DUFFIELD
Date	OCTOBER 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4919).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120.00

Complete if Known

Application Number 10/663,268

Filing Date 09/16/03

First Named Inventor Scott Giatt et al

Examiner Name Essama Omgba

Art Unit 3726

Attorney Docket No. L&P-1392

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 23-3000 Deposit Account Name: Wood, Herron & Evans, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

50

200

Multiple dependent claims

360

180

Total Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**- 20 or HP = $\frac{\text{Total Claims} - 20}{\text{Extra Claims}}$ x $\frac{\text{Fee ($)}}{\text{Fee Paid ($)}}$ =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**- 3 or HP = $\frac{\text{Indep. Claims} - 3}{\text{Extra Claims}}$ x $\frac{\text{Fee ($)}}{\text{Fee Paid ($)}}$ =

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer

listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = $\frac{\text{Total Sheets} - 100}{50}$ / 50 = (round up to a whole number) x $\frac{\text{Fee ($)}}{\text{Fee Paid ($)}}$ =**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fees Paid (\$)

SUBMITTED BY

Signature

Registration No. 35.553
(Attorney/Agent)

Telephone 513-241-2324

Name (Print/Type) Wayne L. Jacobs

Date October 17, 2005

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